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Fortymile Mining District  
c/o P. O. Box 106  
Eagle, Alaska 99738-0106

Mr. Jules Tieson, Director  
Division of Mining and Water Management  
3601 C Streer, Suite 884  
Anchorage, Alaska 99503-5935

October 18, 1998

Dear Jules:

Thankyou for your letter of October 6, 1998, and the opportunity to clarify and comment on several points of the Fortymile Work Group 15 point agreement.

Point 1: No long-term mining related camps on State owned land below high water where BLM has long-term upland campsites available. This includes floating camps.  
Point 1 was intended system wide.

It is position of the Fortymile Mining District to use BLM's long-term camping program for miners working their claims along navigable sections of the Fortymile River whenever possible. The exception to this would be a claim holder who only comes in to do assessment work, or exploration, lasting less than 10 days. These miners should be allowed to have a small camp below high water mark if they choosnot to apply for the BLM's sometimes lenthly long-term camping permit procedure. Point 7, 9 anf 11 are good as written. We did agree to limit river bottom miners to no bigger than 10 inch suction dredges. This is already EPA policy and our feelings to restrict mining efforts along the 21 mile segment of the North Fork to suction dredges is the only type of mining that wouldn't require greater upland use than BLM was willing to grant. Point 15 of the Fortymile Work Group is the one that needs the most clarifying. The Fortymile Mining District agreed to enter an agreement with the State of Alaska concerning water bodies above the Kink. Our proposal was/is that the State of Alaska treat any new claims in this area as State select.

The environmental block that sits on the RAC put in the part about " if these waters are found to be navigable the camping situation along the lower North Fork would need to be revisited". Our stated intention with this proposal was/is not to create a mineral closure. The Fortymile Mining District feels that the North Fork from the Kink to Slate Creek is indeed navigable. As is the Middle Fork from its confluence to Josepn, and is a historic portion of the Fortymila Mining District. Our intention was/is to limit this agreement to waters found to be navigable, by both State of Alaska and BLM, (83 Nav. determination). We realize that any new claims above the Kink at this time would open up the controversy again concerning long-term camping. Therefore, our proposal was to treat these waters as State select until navigability had been firmly established, and the BLM had time to do an EA on long-term camping along these segments. Bottom line is, development would eventually happen, but in an orderly and non-confrontational manner. Our long term priority is that our mining district remain intact.

As for "Larry Taylor's suggestions", the Work Group did discuss what is appropriate shoreline use along the entire Fortymile River system. I feel that this should not be part of this agreement. I think this needs to be addressed, but feel further concessions should be tied to unresolved issues with BLM managers, such as; where the physical stakes should be for river bottom claims. We want to use less than 3" squared trees along the bank. Tok office is dragging their heels on this issue.

I thank you for all your efforts, Jules, and those of your Division of Mining staff.

Respectfully submitted,

*David Likins*

• David Likins  
President, Fortymile Mining District